



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of:

**DONALD MICHAEL BARNES, et al**Serial No. **10/041,686**Filing Date: **1/7/2002**

For: **APPARATUS HAVING PRECISION  
HYPERSPETRAL IMAGING  
ARRAY WITH ACTIVE PHOTONIC  
EXCITATION TARGETING  
CAPABILITIES AND ASSOCIATED  
METHODS**

Art Unit: **3765**Attorney Docket No.  
**25001A**

**RECEIVED**  
DEC 26 2002  
OFFICE OF PETITIONS

**PETITION TO REVIVE APPLICATION FOR UNINTENTIONAL ABANDONMENT**

Attention: Office of Petitions  
Asst. Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to the Notice to File Missing Parts Action mailed on February 22, 2002, which set a two-month period for reply. The abandonment date of this application is August 22, 2002.

APPLICANTS HEREBY PETITION FOR REVIVAL OF THIS APPLICATION

Enclosed herewith for filing the Petition are:

## 1. Petition Fee

☒ Small entity – fee \$640.00 (37 CFR 1.17 (m) )  
Applicant claims small entity status. See 37 CFR 1.27

☐ Small entity statement enclosed herewith

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☒ Small entity statement previously filed

☐ Other than small entity – Fee \$ \_\_\_\_\_  
(37 CFR 1.17 (m) )

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office Action in the form of Response to Notice to File Missing Parts

☐ has been filed previously on \_\_\_\_\_

☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

☐ has been paid previously on \_\_\_\_\_.

☐ is enclosed herewith.

3. Terminal Disclaimer with disclaimer fee

☒ Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20 (d) ) of \$ \_\_\_\_\_ for a small entity ) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

4. Statement. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137 (b) was unintentional. The responsible Attorney originally handling this matter left eh

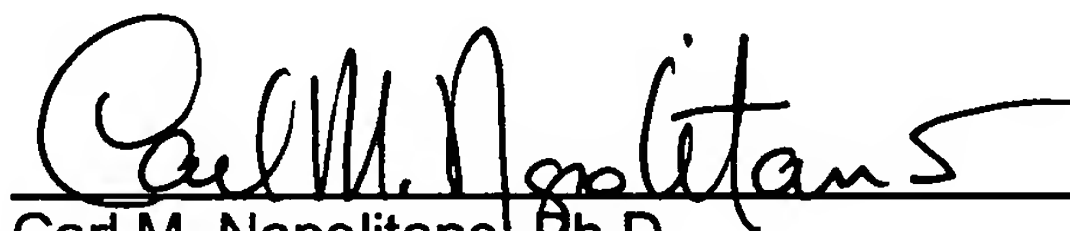
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law firm February 2002. the Missing Parts Notice was received by the law firm during a transition of work responsibility and was not received by the undersigned until November 2002. Failure to timely respond to the Missing Parts Notice was unintentional.

If any additional extension and/or fee is required, or if any additional fee for claims is required, the Commissioner is authorized to charge Deposit Account No. 01-0484.

Respectfully submitted,



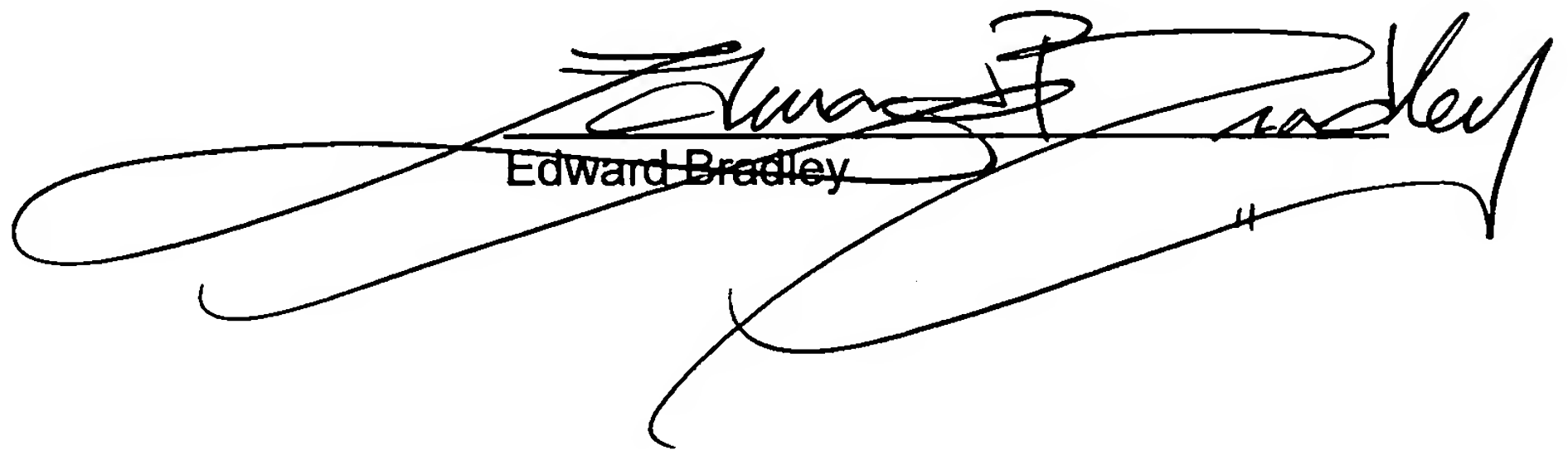
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**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that this PETITION TO REVIVE APPLICATION FOR UNINTENTIONAL ABANDONMENT for Serial No. 10/041,686 is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, on this 17<sup>th</sup> day of December, 2002.

  
Edward Bradley